

Atty Docket : 38-10(15478)B

## REMARKS

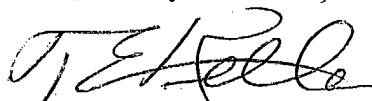
Support for adding "*thaliana*" is found in the specification at page 1, line 20, where *Arabidopsis* is used synonymously with *Arabidopsis thaliana*. The amendment serves to introduce into claim 3 all of the limitations of allowed independent claim 2. Claim 2 thus serves as a linking claim to claims 3-7. Because linking claim 2 has been indicated to be allowable [Paper No. 14], applicant submits that examination must extend to any linked inventions. *See In re Ochiai*, 71 F.3d 1565, 37 USPQ2d 1127 (Fed. Cir. 1995). Thus, the requested amendment renders the proposed restriction requirement moot.

However, to be fully responsive to the restriction requirement, applicant elects with traverse Group I, i.e. claims 1 and 2.

As the application is otherwise in condition for allowance of all pending claims, applicant requests

- (a) reconsideration and withdrawal of the restriction requirement;
- (b) rejoinder of claims 3-7; and
- (c) allowance of all pending claims.

Respectfully submitted,



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**Marked-Up Version of Amended Claim**

3. A substantially purified *Arabidopsis thaliana* protein encoded by a molecule of claim 2 [, wherein said protein is encoded by a nucleic acid molecule consisting essentially of the sequence of SEQ ID NO:1 or its complement].

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**Clean Version of Amended Claim**

3. A substantially purified *Arabidopsis thaliana* protein encoded by a molecule of claim 2.